

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1 Page 229, between lines 32 and 33, begin a new paragraph and
- 2 insert:
- 3 "SECTION 194. [EFFECTIVE UPON PASSAGE] (a)
- 4 Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other law or
- 5 rule, the appropriation made in P.L.291-2001, SECTION 7, FOR
- 6 THE FAMILY AND SOCIAL SERVICES ADMINISTRATION,
- 7 AGING AND DISABILITY SERVICES, C.H.O.I.C.E IN-HOME
- 8 SERVICES, Total Operating Expense for FY 2001-2002, is
- 9 automatically allotted in an amount representing a prorated share
- 10 of the total FY 2001-2002 appropriation for the amount of time
- 11 remaining in FY 2001-2002.
- 12 (b) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other
- 13 law or rule, the appropriation made in P.L.291-2001, SECTION 7,
- 14 FOR THE FAMILY AND SOCIAL SERVICES
- 15 ADMINISTRATION, AGING AND DISABILITY SERVICES,
- 16 C.H.O.I.C.E. IN-HOME SERVICES, Total Operating Expense for
- 17 FY 2002-2003, is automatically allotted on a quarterly basis for the
- 18 fiscal year beginning July 1, 2002, and ending June 30, 2003.
- 19 (c) It is the intent of the general assembly that the
- 20 appropriations allotted in this SECTION be distributed or
- 21 otherwise expended in conformity with the appropriation
- 22 allotments as provided by this SECTION as soon as possible after
- 23 the effective date of this SECTION. The state agency to which the
- 24 money is appropriated must spend the money as appropriated
- 25 without any reversion at the end of the state fiscal year. All
- 26 procedures related to the allotment and distribution of the money
- 27 for appropriated expenditures shall be treated as clerical functions
- 28 without any statutory discretion.
- 29 (d) Notwithstanding IC 4-9.1-1-7 or any other law granting

1 power to the state board of finance or another entity or official in
 2 the executive department of state government to transfer money
 3 among funds or between appropriations, money related to the
 4 appropriation allotments in this SECTION may not be transferred
 5 for any purpose other than the purposes described in this
 6 SECTION and may not be used for any other appropriation.

7 (e) Notwithstanding IC 4-12-1-12, IC 4-13-2-18, or any other
 8 law, policy, practice, or rule granting allotment powers or powers
 9 to transfer, assign, or reassign appropriations to:

10 (1) the budget director;

11 (2) the budget agency; or

12 (3) any other entity or public official in the executive
 13 department of state government;

14 no law authorizes the budget agency or any other entity or public
 15 official in the executive department of state government to delay or
 16 deny allotment, use, or distribution of the appropriations described
 17 in this SECTION.

18 (f) The appropriations described in this SECTION shall be
 19 treated as automatically allotted for the purposes of the
 20 appropriations:

21 (1) on the date or occurrence of the event specified in this
 22 SECTION; or

23 (2) in the absence of a specific date or event for allotment, on
 24 the effective date of this SECTION.

25 An appropriation automatically allotted for one (1) quarter of a
 26 state fiscal year and not fully expended in that quarter remains
 27 allotted for expenditure throughout that state fiscal year.

28 (g) Notwithstanding any law giving discretion to any official to
 29 determine when to expend or distribute money appropriated by the
 30 general assembly, the state shall expend or distribute the amount
 31 of the automatically allotted appropriations as provided in this
 32 SECTION or, in the absence of provisions in this SECTION, upon
 33 allotment.

34 (h) If there is insufficient money to make all appropriations
 35 made by the general assembly for the state fiscal year beginning
 36 July 1, 2002, and ending June 30, 2003, any adjustments in state
 37 spending necessary to make the expenditures of automatically
 38 allotted appropriations shall be made from appropriations other
 39 than the automatically allotted appropriations.

40 (i) This SECTION expires June 30, 2003."

41 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001(ss) as printed June 13, 2002.)

Senator CRAYCRAFT